



2018 New York State YMCA

Youth And Government

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FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 3

Bill #: AL-20

1 **Sponsors:** Jonathan Yohannan, Mary Cacevic, Tyson Walker

2

3 **An Act To**

4 Amend § 16-123 of the New York City Administrative Code to mandate the repair
5 and removal of snow and ice be completed by the State.

6

7 ***The People of the State of New York, represented in the Senate and***
8 ***Assembly do enact as follows:***

9

10 **Purpose**

11 The purpose of this bill is to create safer sidewalks and to assist those who are
12 physically unable to remove the snow or ice from the sidewalks adjacent to their
13 property.

14

15 **Summary of Provisions**

16 **Section 1**

17 Sidewalk: a paved public path for pedestrians at the side of a road.

18 Post meridian-the time intervention of 12 hours after noon

19 Ante meridian-the time intervention of 12 hours before noon

20 Violation-an infringement of the law

21 Sanitation Department-the city department that maintains cleanliness and deals
22 with sewage and trash

23 **Section 2**

24 § 16-123 Removal of snow, ice and dirt from sidewalks; ~~property owners'~~

25 ~~duties.~~ a. (Delete Section a.)

26 The New York City Sanitation Department shall repair and remove the snow or ice,
27 dirt, or other material from all sidewalks and gutters.-

28 b. In case the snow and ice on the sidewalk shall be frozen so hard
29 that it cannot be removed without injury to the pavement, the owner, lessee,
30 tenant, occupant or other person having charge of any building
31 or lot of ground as aforesaid, may, within the time specified in the preceding
32 subdivision, cause the sidewalk abutting on such premises to be strewed with
33 ashes, sand, sawdust, or some similar suitable material, ~~and shall, as soon~~
34 ~~thereafter as the weather shall permit, thoroughly clean such sidewalks.~~

35 ~~—c. Reserved.~~

36 ~~—d. (Delete section d.)~~

37 ~~—e. (Delete section e.)~~

38 f. This section shall not be regarded as interfering with the owner of any lots
39 throwing into the roadway of the streets any snow or ice which may be removed
40 from the sidewalk or gutter directly in front of such
41 lot.

42 g. The term "lot" as used in this section shall include a space not to



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43 exceed twenty-five feet in width fronting the street upon which the violation is
44 charged to have been permitted, committed or omitted.

45 ~~—h.—~~(Delete section h.)

46 ~~—i.—~~(Delete section i.)

47 ~~—j.—~~(Delete section j.)

48 **Justification**

49 Property owners often fail to complete or fully complete their duty to remove snow
50 or ice from sidewalks. The potential icy or snowy conditions on sidewalks can lead
51 to a large number of people receiving injuries when traveling on sidewalks. If the
52 city assumes this responsibility, the sidewalks are guaranteed to be clear and would
53 be in a much safer condition. This being a property owner's duty is also unfair to
54 those who are physically incapable to achieve their task. Mandating the city to
55 remove snow or ice from all sidewalks will also cease all confusion and disputes
56 between apartment owners and their several tenants. If the ice is frozen too hard
57 onto the sidewalk, property owners must spew it with ashes or sand to make it
58 safer to walk on; but this is unjust because of the high cost many have to pay to
59 buy these materials and to maintain the sidewalks adjacent to their property, thus
60 the city should undertake this task. Those with disabilities, disorders, or diseases
61 may have received fines for not removing the snow and ice from the sidewalk
62 bordering their property. Those of old age also cannot typically remove snow from
63 the sidewalks adjacent to their property due to their physical condition. Over 17%
64 of the city's population are people over the age of 60, and this is cruel to the many
65 people in that age range that are mandated to maintain a sidewalk. The State of
66 Delaware assumes the responsibility of clearing snow and ice from sidewalks as a
67 matter of safety and compliance with the Americans with Disabilities Act. Their
68 system works very efficiently and removes the heavy burden to many people
69 suffering from health conditions. New York City shall remove snow or ice and repair
70 along the 12,750 miles of sidewalk and follow the virtuous example from Delaware.

71

72 **Fiscal Implications**

73 It will cost roughly \$30,000,000-\$45,000,000 to repair and remove snow or ice
74 from the 12,750 miles of sidewalk in New York City each year.

75

76 **Effective Date**

77 This bill will go immediately into effect on January 1st of the year after passage.